

MEMORANDUM FOR: Chief, Retirement Operations Branch
Office of Personnel Policy, Planning
and Management

STATINTL FROM : [REDACTED]
Office of General Counsel

SUBJECT : Implementing Executive Order 12197

Adele,

STATINTL

1. I have reviewed the proposed revision of [REDACTED] along with the proposed adoption of Office of Personnel Management procedures which implement Executive Order 12197.

STATINTL 2. With regard to [REDACTED] I have only two comments. First, in paragraph a, the reference to P.L. 88-643 should be deleted, and the words "as amended" should be substituted; this change is technically necessary. Second, in the third sentence in paragraph s(3)(c), the word "such" which is before the word "decree" should be deleted, and the words "a final" should be substituted. The purpose of this change is to make it clear that the Agency will only make payments based upon final court action. *OK*

3. For purposes of clarity, and in order to explicitly adopt on the record our position as regards final court action, it is recommended that the last paragraph of the memorandum adopting OPM apportionment procedures should be amended by changing the last sentence and adding a new sentence to read as follows:

It is recommended that the CIA Retirement and Disability System generally adopt the administrative procedures set forth in said Rules and Regulations for the purpose of implementing the apportionment provisions of Executive Order 12197. However, the Office of General Counsel recommends that Agency policy provide that the Agency may only apportion annuities pursuant to final court action in any divorce matter.

4. If you have any questions concerning these comments, please contact me at your convenience.

STATINTL

cc: RCB/ISS/DDA ✓

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